

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA) CASE NO.: 1:05-CR-019
)
)
v.) (JUDGE KANE)
)
ELDEN PIERRE HANNAH) (ELECTRONICALLY FILED)

MOTION TO WITHDRAW AS COUNSEL

1. The undersigned entered their appearance on behalf of Defendant Hannah on February 4, 2005.
2. The undersigned filed a Motion to Suppress on behalf of Defendant Hannah on September 20, 2006.
3. A hearing on the Motion to Suppress was scheduled to occur on November 14, 2006.

4. The undersigned received from the Court a letter written by Defendant Hannah dated October 5, 2006. In that letter, Defendant Hannah alleges ineffective assistance of counsel. Defendant Hannah wrote previous letters to Defense Counsel claiming ineffective representation.

5. On November 10, 2006, Shane B. Kope, Esquire and Jacob M. Jividen, Esquire entered their appearance on behalf of Defendant Hannah and requested a continuance of the November 14, 2006 hearing.

6. Since Defendant Hannah is alleging ineffective assistance of counsel, and since new counsel has entered their appearance on behalf of Defendant Hannah, the undersigned counsel is requesting permission to withdraw from this case.

7. The undersigned hereby requests to withdraw as counsel for Defendant Hannah.

8. Defense Counsel has been in contact with Assistant United States Attorney William A. Behe, and he concurs in the filing of this Motion.

WHEREFORE, the undersigned requests the Court enter an order withdrawing Kenneth W. Ravenell, Esquire and John F. Yaninek, Esquire as counsel for Elden Pierre Hannah.

Respectfully Submitted,

s/Kenneth W. Ravenell

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s/John F. Yaninek

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Date: November 14, 2006

CERTIFICATE OF CONCURRENCE

I, JOHN F. YANINEK, ESQUIRE, Counsel for Defendant, Elden Pierre Hannah, confirm that William Behe, Assistant United States Attorney, was contacted on November 14, 2006, regarding the filing of this Motion and that Mr. Behe does concur in the filing of this Motion.

s/John F. Yaninek
John F. Yaninek, Esquire

DATE: November 14, 2006

CERTIFICATE OF SERVICE

I, JOHN F. YANINEK, of Mette, Evans & Woodside do hereby certify that on this date I served a copy of the forgoing Motion to Withdraw as Counsel via electronic service, addressed to the following:

(William.Behe@usdoj.gov)
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s/John F. Yaninek
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Date: November 14, 2006